



APPLICATION NUMBER	FILING DATE	FIRST NAMED APPLICANT	ATTY. DOCKET NO./TITLE
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DATE MAILED:

TECHNOLOGY CENTER R3700

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**NOTICE OF IMPROPER REQUEST FOR CONTINUED EXAMINATION (RCE)**

The request for continued examination (RCE) under 37 CFR 1.114 filed on Feb. 28, 2002 is improper for reason(s) indicated below:

- ☐ 1. Continued examination under 37 CFR 1.114 does not apply to an application for a design patent. Applicant may wish to consider filing a continuing application under 37 CFR 1.53(b) or a CPA under 37 CFR 1.53(d).
- ☐ 2. Continued examination under 37 CFR 1.114 does not apply to an application that was filed before June 8, 1995. Applicant may wish to consider filing a continuing application under 37 CFR 1.53(b) or a CPA under 37 CFR 1.53(d).
- ☒ 3. Continued examination under 37 CFR 1.114 does not apply to an application unless prosecution in the application is closed. If the RCE was accompanied by a reply to a non-final Office action, the reply will be entered and considered under 37 CFR 1.111. If the RCE was not accompanied by a reply, the time period set forth in the last Office action continues to run from the mailing date of that action.
- ☐ 4. The request was not filed before payment of the issue fee, and no petition under 37 CFR 1.313 was granted. If this application has not yet issued as a patent, applicant may wish to consider filing either a petition under 37 CFR 1.313 to withdraw this application from issue, or a continuing application under 37 CFR 1.53(b).
- ☐ 5. The request was not filed before abandonment of the application. The application was abandoned, or proceedings terminated on \_\_\_\_\_. Applicant may wish to consider filing a petition under 37 CFR 1.137 to revive this abandoned application.
- ☐ 6. The request was not accompanied by the fee set forth in 37 CFR 1.17(e) as required by 37 CFR 1.114. Since the application is not under appeal, the time period set forth in the final Office action or notice of allowance continues to run from the mailing date of that action or notice.
- ☐ 7. The request was not accompanied by a submission as required by 37 CFR 1.114. Since the application is not under appeal, the time period set forth in the final Office action or notice of allowance continues to run from the mailing date of that action or notice.

**Note:** If a request for a continued prosecution application (CPA) under 37 CFR 1.53(d) has been filed in the utility or plant application (including a previously filed CPA) that was filed on or after May 29, 2000, the request for a CPA has been treated as a RCE because the CPA practice no longer applies to such application. The constructive RCE, however, is improper for reason(s) indicated above.

**A copy of this notice MUST be returned with any reply.**

Direct the reply and any questions about this notice to:

RM L Lay d, Examining Group 3727



RCE  
3727

S/N: 08/990,195

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Jianhua FAN  
S/N: 08/990,195  
Title: LEGGED POT

Examiner: Moy, J  
Group Art Unit: 3727  
Filed: 12/12/1997

CERTIFICATE UNDER 37 CFR 1.8: The undersigned hereby certifies that this correspondence is being deposited in the United States Postal Service, as first class mail with sufficient postage, in an envelope addressed to: Assistant Commissioner for Patent, Washington, D.C. 20231 on April 22, 2002.

By: Jianhua Fan  
Name: Jianhua Fan

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Box-No Fee Response  
Assistant Commissioner for Patents  
Washington, D.C. 20231

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Dear Sir:

I am transmitting herewith the attached:

- # Transmittal Sheet, in duplicate, containing Certificate of Mailing.
- # Request for Continued Prosecution Application
- # A copy of the Office Action
- # A return postcard

Please consider this a PETITION FOR EXTENSION OF TIME for a sufficient number of months to enter these papers, if appropriate. Please charge any additional fees which may be required by this paper to Account No. 50-1687. A duplicate of this sheet is enclosed.

5800 MAUDINA AVE.  
APT. C-2  
NASHVILLE, TN 37209  
Phone(fax): 615-356-3211

By: Jianhua Fan  
Applicant: Jianhua Fan  
Date: April 22, 2002